1951.

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File No. O. Local Auth.
Census Exp 5/51

Legal Department—
A **BRANCH**

Subject:— Opinions under the Bombay Authorities Census Expenses Contribution Act, 1950.

File No. O. Local Auth. Census Exp./51

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C O N T E N T S.

Legal Department File No. O. Local Audit Census Exp./ 51.

Sr. No.	R.I. No. / O. No. No.	Subject	Dated.
		Opinions under the Bombay Local Authorities Census Expenses Contribution Act , 1950 .	
1).	4599	Sections 3-- Whether expenses can be charged only to the funds of duly constituted Municipalities.	22/8/1951.

1-4.

VVK. 28/6/56/

5C.

Legal Department .

Under section 3 of he Bombay Local Authorities Census Expenses Contribution Act, 1950 , the State Government has taken power that such portion of any expenses as may be prescribed, incurred foe anything done according to the Census Act, may be charged to the Funds of any Local Authority constituted for and on behalf of the area within which such expenses were incurred. The Collector, Panchmahals, in his letter at page 1 ante, has reported that an expendiature of Rs. 112-15-3 was incurred by the Santrampur Municipality for the nnmbering of houses for Census purposes in Santrampur town and requests Government that the Municipality not being regularly constituted that amount may be paid to the Municipality. In his subsequent communication, the the collector reports that theSantrampur Municipality "is not a regularly constituted Municipality" .; that it was constituted during the State Administration and is allowed to continue as such after merger. The F. & S .D. has, therefore, raised the question : whether under the bombay Local Authorities Census Expenses Contribution Act 1950, expenses can be charged only to the funds of duly constituted Municipalities . ?

The R.L.A. is requested to advise on this question .

2. It is not quite clear what the Collector of Panch Mahals means when he says that the a Santrampur Municipality "is not a regularly

constituted Municipality under the Bombay District Municipal Act." If that Municipality was constituted before merger and is allowed to continue, it will bedeemed to have been constituted under the Bombay District Municipal Act as applied to that merged area. It will therefore, be possible to charge the census expenses even to the funds of that Municipality. However, the real point which arises in this case is about the recovery of expenses incurred on house-numbering. It seems from Rule 5(a) of the Bombay Local Authorities Census Expenses Contribution Rules, 1951, that the expenses incurred on the numbering of the houses is excluded from the amount to be charged to any municipal fund. In that case the question of charging this expenditure to the Municipal Fund would not arise at all and the same will have to be borne by Government .

Id/-

Additional Secretary to Government.

U.R. to P.. & S.D. No. 11599,

dated the 22nd March 51-

V.v.k. 27/6/56/ 5C.